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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,703	05/31/2000	Oleg B. Rashkovskiy	INTL-0409-US (P8992)	5209

7590 01/21/2004

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EXAMINER
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LUU, LE HIEN

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 01/21/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

P24

# Office Action Summary

Application No.

09/583,703

Applicant(s)

RASHKOVSKIY, OLEG B.

Examiner

Le H Luu

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

1. Claims 1-23 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-23 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Compton et al. (Compton)** patent no. **6,115,035**, in view of **Reilly et al. (Reilly)**, patent no. **5,740,549**.
4. As to claim 1, Compton teaches the invention substantially as claimed, including a method comprising:

automatically searching for streaming video files (col. 3 lines 33-46; col. 4 lines 30-42);

selecting particular streaming video files based on keywords (col. 4 lines 30-42, search engine inherently use keywords search); and

generating representations of said streaming video files for display as a graphical user interface (col. 4 lines 43-65; col. 7 line 16-27).

However, Compton does not explicitly teach said streaming video files organized by categories for display.

Reilly teaches a data viewer displays video files that are organized by categories (figure 10; col. 13 lines 28-48).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Compton and Reilly to display said streaming video files based on categories because it would display information based on user viewing preferences.

5. As to claim 2, Compton teaches automatically searching for streaming video files includes automatically searching for predetermined file extensions associated with streaming video files (col. 4 lines 43-65, fig 3).

6. As to claims 3-4, Compton and Reilly teaches automatically searching for streaming video file extensions and for keywords in web sites; organizing said video files into a category based on the keyword used to locate said video file (Compton, col. 4 lines 30-42; Reilly, figure 10; col. 13 lines 28-48).

7. As to claims 5-7, Compton and Reilly teaches representing a plurality of categories and video files associated with said categories, representing each video file by a thumbnail frame, and playing said video file in response to a user selection of said thumbnail video (Reilly, figure 10, col. 13 line 28 - col. 14 line 16).

8. As to claims 8-10, Compton and Reilly teaches using said keywords as category icons and displaying a plurality of video files associated with each category icon, accessing said video file over the Internet in response to a user selection of said video file, and periodically automatically searching for streaming video files (Reilly, figure 10, col. 13 line 28 - col. 14 line 16).

9. Claims 11-23 have similar limitations as claims 1-10; therefore, they are rejected under the same rationale.

10. In the remarks, applicant argued in substance that

(A) Prior art does not teach stream video.

As to point (A), Compton teaches video server is connected to staging and delivery server to serve steamed video clips to website viewers (col. 3 lines 33-46; col. 4 lines 30-42);

(B) Prior art does not teach selecting particular streaming video files based on keywords.

As to point (B), Compton teaches user can use search engine to find a particular video segments. Parameters that user enters into the search engine are considered as keywords. Therefore, search engine inherently uses keywords search.

(C) Prior art does not teach generating representations of said streaming video files organized by categories for display as a graphical user interface.

As to point (C), Compton teaches generating representations of said streaming video files for display as a graphical user interface (col. 4 lines 43-65; col. 7 line 16-27).

However, Compton does not explicitly teach said streaming video files organized by categories for display.

Reilly teaches a data viewer displays video files that are organized by categories (figure 10; col. 13 lines 28-48).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Compton and Reilly to display said streaming video files based on categories because it would display information based on user viewing preferences.

11. Applicant's arguments filed on 11/03/2003 have been fully considered but they are not deemed to be persuasive.

12. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7240.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9306, (for formal communications; please mark  
"EXPEDITED PROCEDURE").

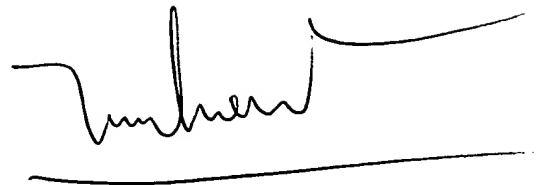
**Or:**

(703) 872-9306, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT").

**Or:**

(703) 746-7238 (for After Final  
communications).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', is written above a horizontal line.

LE HIEN LUU  
PRIMARY EXAMINER

January 16, 2004